

SHRA GRIEVANCE POLICY & PROCEDURES ROLES, RESPONSIBILITIES AND RIGHTS OF PARTICIPANTS

WITNESS

ROLE OF GRIEVANCE WITNESS

- A Grievance Witness is a person who has direct and relevant knowledge or information of events pertaining to the matter of the Grievance and who participates in the Grievance process.
- A Witness may be asked to provide information relevant to their direct experience with the issue(s) of the Grievance during an Equal Opportunity Informal Inquiry, an Informal Discussion, or any other informal dispute resolution processes attempted during the Grievance process. The Step 1 Respondent may request information from Witnesses in preparation for the Step 1 Mediation.
- A Witness may be asked to participate voluntarily in the Step 2 Hearing. The Witness is present at the Hearing only when being addressed by the parties to the Grievance and/or the Hearing Panel and is dismissed after giving their statement. A Witness may be questioned by the Grievant, Respondent, Panelists, Panel Chair, and/or Grievance Officer.
- Witnesses may be requested by both the Grievants and Respondents. For a Step 2 Hearing, the relevance of a Witness is determined by the Grievance Officer in consultation with the Panel Chair assigned to the case. A Witness may be excused from the Hearing with or without comment as deemed appropriate.

RESPONSIBILITIES OF GRIEVANCE WITNESS

- **Time Commitment:** Participation in any informal resolution processes or during the Step 1 process generally requires no more than 3-4 hours of time. Participation in a Step 2 Hearing generally requires up to a half-day of the Witness' time. Witnesses will be released from the Hearing after they have provided their information to the Panel. Participation is considered work time and the Witness's supervisor must be notified in advance of the necessary time. Supervisors of the Witnesses are expected to provide reasonable work schedule flexibility to participate in the Grievance process. (Refer to the "Statement on Work Time and Grievance Participation" for additional information.)
- **Truthful Contribution:** The Witness's primary responsibility is to provide truthful information about events relevant to the Hearing about which the Witness has direct knowledge or expertise so that the Step 1 and/or Step 2 decision-makers have sufficient information to make an informed decision on the case. Written statements from a Witness made solely for the purpose of the Step 2 Hearing cannot be accepted in place of attendance at the Step 2 Hearing.
- **Confidentiality:** Grievances are confidential personnel matters. A Witness shall maintain confidentiality and shall not disclose information concerning the case to others, including any information that may have been presented before, during and after the Hearing, except as allowed by policy or required by law. Information provided by a Witness during a Grievance process becomes part of the official Grievance file and shall be maintained confidentially as required by policy.
- **Hearing Materials:** The Grievant or Respondent who requested the presence of the Witness at the Step 2 Hearing is responsible for providing the Witness with the time, date, location, and purpose of the meeting. A Witness does not receive case materials but may be asked to discuss particular documents during the Step 2 Hearing. Should a Witness come into possession of any Grievance materials at the end of the process, the Witness shall submit those documents to the Grievance Officer for confidential disposal.
- **Conduct & Impartiality:** A Witness shall exhibit respectful conduct at all times to all parties involved in the dispute and encourage mutual respect between parties. Witnesses shall provide honest statements and responses and be impartial in the execution of their duties, without any appearance of bias or favoritism.
- **Compliance:** Providing false or misleading information or exhibiting disrespectful conduct may result in administrative action, as appropriate.

RIGHTS OF GRIEVANCE WITNESS

- **Non-Retaliation:** To participate in good faith in the Grievance process free from retaliation, coercion or abuse by Grievants, Respondents, Panelists, other Witnesses, the Office of Human Resources, or any other party.
- **Respectful Consideration:** To be provided a fair opportunity to have their relevant information heard.
- **Choice of Participation:** When asked, to have the choice to participate voluntarily in the Step 2 Hearing or to choose not to participate at all.